

INITIAL STUDY

PROJECT FILE NO.: PDC04-052

PROJECT DESCRIPTION: Planned Development rezoning and construction of up to 24 single-family attached residential units on a 1.10 acre site.

PROJECT LOCATION: 1716 East San Antonio Road (APN 481-26-083)

GENERAL PLAN DESIGNATION: Medium Density Residential (8-16 DU/AC) **ZONING:** R2
SNI: Mayfair

SURROUNDING LAND USES: **North:** San Antonio Elementary School. **East:** Single-Family Residential. **South:** Single-Family Residential. **West:** Duplex Residential. **Existing use on project site:** Vacant Community Building.

PROJECT APPLICANT'S NAME AND ADDRESS:

Core Development, Inc.
Attn: Paul Ring
470 S. Market Street
San Jose, CA 95113

DETERMINATION

On the basis of this initial study:

| | |
|-------------------------------------|---|
| <input type="checkbox"/> | I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input checked="" type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required. |
| <input type="checkbox"/> | I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required. |

Date

Signature

Name of Preparer:

Phone No.: (408) 277-4576

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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I. AESTHETICS - Would the project:

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| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| e) Increase the amount of shade in public and private open space on adjacent sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |

FINDINGS: The project proposes the construction of 24 multi-family units on a 1.10 gross acre site. There are no scenic vistas on or around the project site that will be affected by the project and no scenic resources are present on the site. The project site is not directly adjacent to a scenic highway. Although the proposed project would be highly visible along East San Antonio Road, the development would not substantially alter the visual character of the project site or this portion of East San Antonio Road.

There is a vacant community services building and associated surface parking and landscaping on the site. The project proposes to demolish the vacant building and construct new residential uses. The visual character of the site will change by introducing higher density uses, as viewed from East San Antonio Road and the adjacent residential uses. However, the project will not block existing scenic vistas or degrade the existing visual character of the area, therefore, visual impacts would not be significant.

The project site is in an urban, densely developed area and is surrounded by urban uses. The project will be designed to conform to all City guidelines and policies, including the Residential Design Guidelines. The project will not include any substantial or tall lights that could produce glare. Although the proposed project would result in additional lighting compared to the current use since the residential buildings would be larger and taller than the existing uses on the site, the project will abide by the City's Outdoor Lighting Policy, and therefore the light levels associated with the proposed project are not expected to result in substantial light or glare that would adversely effect day or nighttime views in the area.

The proposed structures will have a height of 38 feet or less and are not anticipated to produce significant shade upon open space areas within the development. In addition, there are no public open space areas adjacent to the project site that would be significantly impacted by shade from the project.

MITIGATION MEASURES: None Required

II. AGRICULTURE RESOURCES - Would the project:

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| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,3,4 |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,3,4 |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,3,4 |

FINDINGS: The project site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use. The subject property is located within the City's Urban Service Area and has long been designated for urban development in the City's General Plan. Further, the site is currently developed with urban uses (a

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vacant community services building and associated surface parking and landscaping). The area surrounding the project site is primarily composed of residential and institutional buildings.

MITIGATION MEASURES: None Required

III. AIR QUALITY - Would the project:

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| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,14 |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,14 |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,14 |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,14 |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,14 |

FINDINGS: The proposed 24 unit residential project will not create significant adverse impacts on air quality or contribute to an existing or projected air quality violation. The proposed project would have limited air quality impacts resulting from the minor pollutant emissions related to traffic generated by the proposed project. The Bay Area Air Quality Management District (BAAQMD) generally does not recommend that a detailed air quality impact analysis be prepared for projects generating less than 2,000 vehicle trips per day. This residential project is expected to generate substantially fewer trips than this threshold, therefore, this project does not trigger the need for a detailed air quality impact analysis under the BAAQMD guidelines. The San Jose General Plan EIR recognizes and addresses cumulative air quality impacts resulting from buildout consistent with the San Jose 2020 Land Use/Transportation Diagram and other outlined Land Use policies pertaining to multi-family residential development.

The project would not result additional exposure of sensitive receptors to substantial pollutant concentrations in the long term, but has the potential to generate dust and other pollutants during demolition, grading and construction. The impact of dust generated by demolition, grading and construction activities is temporary in nature and limited to site preparation and future construction of the new residential development. While the project is under construction, the developer shall implement effective dust control measures to prevent dust and other airborne matter from leaving the site. The BAAQMD has prepared a list of feasible construction dust control measures that can reduce construction impacts to a level that is less than significant. With the inclusion of these mitigation measures, the short-term air quality impacts associated with construction will be reduced to less-than significant levels.

The proposed project does not include any uses that would subject residents, neighbors, or customers and employees of nearby businesses to objectionable odors.

MITIGATION MEASURES: The following construction practices shall be implemented during all phases of construction for the proposed project.

1. Water all active construction areas at least twice daily or as often as needed to control dust emissions.
2. Cover all trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.
3. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
4. Sweep daily or as often as needed with water sweepers all paved access roads, parking areas and staging areas at construction sites to control dust.

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5. Sweep public streets daily, or as often as needed, with water sweepers, to keep streets free of visible soil material.
6. Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
7. Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.) sufficient to prevent visible airborne dust.
8. Limit traffic speeds on unpaved roads to 15 mph.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.

IV. BIOLOGICAL RESOURCES - Would the project:

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| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,10 |
| b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,6,10 |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,6 |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,10 |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,11, 2 |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |

FINDINGS: The project would not impact any threatened or endangered biological resources. The 1.10-acre project site is developed with a vacant community services building with associated surface parking and landscaping. The existing landscaping consists of a dirt area with some ornamental trees and shrubs. The project site is entirely within an existing developed residential neighborhood, and is not located within a sensitive natural community, riparian habitat, or wetland. The proposed development would not impact any candidate, sensitive or special status species, nor would it affect the movement of any native resident or migratory fish or wildlife species.

The proposed development proposes the removal all of the trees currently on the project site, most of which include ornamental and fruit trees, ranging in size from 6 inches to 30 inches in diameter. The trees range from fair to good condition. The largest trees on the project site (approximately 30 inches in diameter) include several palm trees and a eucalyptus. The project site also contains a 15-inch oak tree. Based upon the landscape plan, eight ordinance size (greater than 24 inches in diameter) trees are proposed for removal. These ordinance-sized trees include eucalyptus, pepper and palm species. During the Planned Development Permit stage, staff will work with the applicant to preserve trees where feasible.

MITIGATION MEASURES: All non-orchard trees that are to be removed shall be replaced at the following ratios:

- Each tree less than 12" in diameter to be removed = one 15 gallon tree
- Each tree 12" to 18" diameter to be removed = two 24" box trees

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- Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit has been approved for the removal of such trees. Each tree greater than 18" diameter to be removed = four 24" box trees

The species and exact number of trees to be planted on the site will be determined in consultation with the City Arborist and the Department of Planning, Building, and Code Enforcement. In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented at the permit stage:

- An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the City's Environmental Principal Planner.
- A donation of \$300 per mitigation tree to San Jose Beautiful or Our City Forest for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for off-site tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.

V. CULTURAL RESOURCES - Would the project:

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| a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,7 |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,8 |
| c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,8 |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,8 |

FINDINGS: The project site consists of a vacant community services building and associated surface parking. Based upon a review of historical records, it has been determined that the current structure was constructed in the mid 1960's. Prior to this date, the property was used for agricultural purposes. Based upon the date of construction alone this structure does not appear to meet the first criteria for further evaluation under California and/or National Register (structures that are 50 years or older). In addition, the building does not seem to possess high artistic values, it does not appear to represent the work of a master, nor is it listed on the City of San Jose Historic Resources Inventory. Based upon this information, it has been determined that this building is not historically significant and that the demolition of this building would not result in a significant impact to an historic resource.

The project site is not within an area of archaeological sensitivity as defined in the City of San Jose Archaeological Sensitivity Maps. However, as required by County ordinance, this project has incorporated the following guidelines. - Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

There are no known unique paleontological resources or sites or unique geologic features located on the site.

MITIGATION MEASURES: None Required

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VI. GEOLOGY AND SOILS - Would the project:

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| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | |
| 1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| 2) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| 3) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| 4) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,5,24 |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,5,24 |

FINDINGS: A geotechnical report has been prepared by Earth Systems Consultants, dated September 29, 2004. This report included review of relevant geotechnical maps and reports, a reconnaissance of the project site and soils samples for engineering analysis. This report provides initial recommendations for the this project and finds the site suitable for the proposed new multi-family buildings.

No known faults cross the project site and the site is not located within an Earthquake Fault Zone. The closest faults to the project site include the Hayward Fault, located approximately 7 miles to the northeast and the San Andreas Fault located approximately 14.2 miles west of the project site. There is no recent evidence of significant ground rupturing of these faults in vicinity of the project site.

The project area is located on the State of California Seismic Hazard Map for liquefaction potential. A liquefaction analysis was prepared by Earth Systems Consultants. Based on borings from the site and testing of the samples, it was determined that the potential for liquefaction to occur at the site is low and was not in evidence in the analysis.

The project site is on flat terrain and is not prone to landslides. The soil on site is a clay soil determined to have low to moderate expansive potential. The potential for erosion is low on the project site because of the flat terrain. Construction related erosion and resulting potential sedimentation impacts would be reduced to a less than significant level through the project's compliance with the City of San Jose National Pollution Discharge Elimination System (NPDES) Storm Water Permit and shall include Best Management Practices (BMPs) as specified in the Blueprint for a Clean Bay to control the discharge of storm water pollutants including sediments associated with construction activities. (This is detailed further in the Hydrology and Water Quality Section below)

The site is currently connected to the City sewer system. Any new development at the site would be required to connect to the City sewer system and would not be expected to utilize a septic tank or alternative wastewater disposal system.

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MITIGATION MEASURES: The project shall be designed to incorporate standard engineering techniques and in conformance with the Uniform Building Code and as stated in the geotechnical report. In addition the project shall conform to City of San Jose National Pollution Discharge Elimination System (NPDES) Storm Water Permit.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

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| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1, 2, 25 |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 25 |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 25 |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 12, 25 |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1, 2, 25 |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |
| g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |

FINDINGS: The project is a residential development and will not involve the transport, use or disposal of hazardous materials. The project will not emit hazardous emissions or handle hazardous materials, substances or waste. The project is not located on a site included on a list of hazardous sites compiled pursuant to Government Code Section 65962.5. The project is not located within an airport land use plan or within two miles of a public airport or public use airport or within the vicinity of a private airstrip. The project is an urban infill project and will not expose people or structures to wildland fires.

A Phase I Assessment for the site was prepared by AEI Consultants on February 5, 2004. The Phase I stated that the site was used for agricultural purposes prior to the construction of the existing structures on the site in the mid 1960's. Some pesticides may have been used while the property was used for agricultural purposes. Due to the lack of presence of on-site structures where the mixing and or storage of these materials would have taken place and due to the amount of time that has elapsed since the site was in agricultural use, the former agricultural operations on the site are not expected to represent a significant environmental concern.

Based on the age of the structure on the site, there is a potential that asbestos-containing materials and/or lead based paint may be present. All potential asbestos containing and painted surfaces were evaluated as part of the Phase I and determined to be in good condition.

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All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employees training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

Demolition done in conformance with these Federal, State and Local laws and regulations, will avoid significant exposure of construction workers and/or the public to asbestos and lead-based paint.

MITIGATION MEASURES: As required by state law, an asbestos and lead survey shall be conducted by a licensed consultant prior to demolition. The project shall implement all feasible recommendations in the asbestos and lead survey.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

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| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,15 |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |
| c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,17 |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |
| g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,9 |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,9 |
| i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |
| j) Be subject to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1 |

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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FINDINGS: The 1.10-acre project site is developed with a vacant community services building with associated surface parking and landscaping. It is surrounded by urban development and is not adjacent to a stream or river. The project is also served by urban infrastructure, including storm drains and lines. The project site is covered with a building and surface parking and therefore already contains impervious surfaces.

In accordance with Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for the City of San Jose, the project site is located within an area determined to be outside the 100-year floodplain. Therefore, the development on the project site would not be subject to substantial flooding hazards due to peak storm water runoff, levee or dam failure, tsunami, or mudflow. The potential for flooding to occur at the project site is considered to be less than significant.

The proposed project is a small infill project and would not substantially alter existing drainage patterns in the project area and would not deplete or affect groundwater supplies. However, the project proposes an increased amount of development on the site and therefore an increased amount of on-site impervious surfaces. This may increase the amount of runoff from the site and associated runoff pollutants. The following mitigation measures would reduce impacts resulting from increasing runoff to a less than significant level.

MITIGATION MEASURES: This project will result in a land disturbance of more than one acre. Prior to the commencement of any clearing, grading, or excavation, the project shall comply with the State Water Resources Control Board's National Discharge Elimination System (NPDES) General Construction Activities Permit as follows:

The following mitigation measures will be included in the project to conform to the current non-point source programs and to avoid or reduce hydrologic impacts to a less than significant level:

1. The proposed development will comply with the NPDES permit issued to the City of San Jose and other co-permittees of the SCVURPPP, and will include measures to control pollutants discharged to the storm water system. Future activities that require a permit from the City of San Jose will need to be evaluated for BMP's including, but not limited to the following: storm water retention or detention structures; use of landscaped-based storm water treatment measures, such as biofilters and vegetated swales to manage runoff from the site; minimization of impervious surfaces and increased use of permeable pavement; if inlet filters are used, a maintenance program to maintain the functional integrity of the systems; damp sweeping of streets and on site parking areas; routine storm drain cleaning, and; covering of dumpsters and materials handling areas
2. Prior to the commencement of any grading, clearing, or excavation the project developer shall comply with the City of San Jose's Municipal Code and the State Water Resources Control Board (SWRCB) NPDES General Construction Activities Permit as follows: The applicant shall develop, implement, and maintain a SWPPP. The SWPPP must specifically address BMP's that will be included in the project to the maximum extent practicable, for both the construction and post construction periods. The SWPPP would include erosion and sediment control measures, waste disposal controls. The developer shall maintain a copy of the most current SWPPP on site and shall provide a copy to any City representative or inspector on demand; the developer shall file a Notice of Intent (NOI) to be covered by the NPDES General Permit for Construction Activity with the SWRCB 30 days prior to any construction on the site.
3. In addition, the SWPPP must include a description of erosion control practices, which may include BMP's as specified in the California Storm Water Best Management Practice Handbook for reducing impacts on the City's storm drainage system from construction activities.
4. The project will conform to the City's Grading Ordinance during construction. Prior to issuance of a grading permit, the developer shall submit copies of the NOI and Erosion Control Plan to the City Project Engineer at the Department of Public Works.

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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IX. LAND USE AND PLANNING - Would the project:

| | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |

FINDINGS: The development of the project would not physically divide the community. The proposed multi-family project would replace the existing vacant community services building, which is also a developed urban use. Although the proposed project is larger in size than the existing uses, there are no aspects of the proposed project that would interfere with access or accessibility in the project area.

The project would not conflict with any applicable habitat conservation plan or natural community conservation plan since there are no plans of this type in place within the project area.

The project site is within the Mayfair Strong Neighborhood Initiative (SNI) plan area. The Mayfair SNI has several top priority action items including two priority action items applicable to multi-family residential projects. These include the provision of affordable housing and to increase the development of ownership housing. The project includes the development of for-sale housing which includes an affordable component.

The project is designated Medium Density Residential (8-16 DU/AC) on the San Jose General Plan 2020 Land Use Transportation Diagram. The City's General Plan also includes Discretionary Alternate Use Policies that specify conditions under which an alternative to uses otherwise allowed in a particular Land Use/ Transportation Diagram designation may be determined to be in conformance with the General Plan. These conditions are applicable to projects that foster and encourage the implementation of such General Plan goals and policies as the production of affordable housing, the preservation of historic structures, or the development of high quality projects of an exceptional design and provide the flexibility to most appropriately apply policies in achieving the true intent of the General Plan which might be undermined by an overly rigid application of land use designations.

One of the goals of the General Plan is to encourage infill development. For some infill sites, physical or environmental constraints may require innovative design solutions. To further this objective, existing parcels of two acres or less may have an allowed use other than that designated on the Land Use/Transportation Diagram as follows:

- Parcels with a residential land use designation may be developed at a higher or lower density range. The appropriate density for a given site should be determined based on compatibility with surrounding land uses. Projects developed under this policy should be of exceptional design.
- Parcels with a non-residential land use designation may be developed under any residential or non-residential category.

The alternate land use allowed by this policy should be compatible with existing and planned uses on adjacent and neighboring properties. To use this policy, projects should exceed the minimum standards of the Zoning Ordinance and adopted design guidelines.

In conformance with the Discretionary Alternate Use Policies, the project is proposing a density of 24 DU/AC. The project meets the goals of the General Plan by proposing an infill project in an urbanized area adjacent to transit; the production of affordable housing and the development of residential uses that are in conformance with the City of San Jose Residential Design Guidelines.

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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MITIGATION MEASURES: None Required

X. MINERAL RESOURCES - Would the project:

| | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|--------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,22 |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,22 |

FINDINGS: The project site is within a developed urban area. The project would not result in a significant impact from the loss of availability of a known mineral resource.

MITIGATION MEASURES: None Required

XI. NOISE - Would the project result in:

| | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-----------------|
| a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,13,18 26 |
| b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2,13,18 26 |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2,13,18 26 |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,2,13,18 26 |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,13,18 26 |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,13,18 26 |

FINDINGS: A Noise Report was prepared for the project by Nigel Breitz Acoustics, dated September 30, 2004 to analyze the potential noise impacts resulting from development of the proposed project.

The San Jose 2020 General Plan states that the City's acceptable exterior noise level is 55 dBA long term, and 60 dBA short term. The acceptable interior noise level is 45 dBA. The plan recognizes that the noise levels may not be achieved in the Downtown, and in the vicinity of major roadways and the Mineta San Jose International Airport.

Existing and Projected Noise Levels-Based upon existing noise measurements at the project site and projected Year 2025 peak traffic volumes for the San Antonio Street/King Road intersection, the projected noise levels are the following:

- East San Antonio Road Frontage-64 dBA L_{dn} at the face of the proposed residential units (1st and 2nd stories); 61 dBA L_{dn} at the proposed driveway location and adjacent existing residences (1st and 2nd stories)
- Rear of the Project Site (Southern Portion of the Site)-60 to 62 dBA L_{dn} at the rear property line (1st and 2nd stories).

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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Noise Impacts to the Project- Given the estimated noise exposure at the project site boundaries, it is anticipated that noise levels within the residential units on the project site (particularly the units closest to East San Antonio Road) could exceed an L_{dn} of 45 dBA, the interior noise level standard for multi-family residential uses. Since interior noise levels could exceed the standard, the project will be required to implement noise reductions measures to reduce the interior noise level to an acceptable level. These measures listed below in the Mitigation Measures section.

As stated above, open space areas for the project would be exposed to noise levels of 60 to 64 dBA L_{dn} . The primary common outdoor activity area would be the proposed open space area situated in the center of the site. The project also proposes individual patios and balconies for private open space for each unit. These outdoor use areas would be exposed to an L_{dn} of less than 64 dBA, well below the L_{dn} of 76 dBA, and would result in a less than significant impact. These areas will not require any special treatment.

The project site is located within a developed multi-family residential and commercial area. No excessive ground borne vibration or ground borne noise levels are expected.

Airplanes occasionally fly over the project site producing increases in ambient noise levels. The project would not expose residents to long-term excessive noise levels because loud noise events produced by airplanes are short-term and periodic. These noise levels are not high enough to impact human health in the project area. The project site is not located within the vicinity of a private air strip.

Noise Impacts from the Project-The project would not result in significant noise impacts to adjacent residential uses since the proposed residential uses would be similar in nature to the existing residential uses. In the existing and projected noise environment in the project area, the noise generate by the proposed project would not result in a perceptible noise increase. In addition, traffic trips generated by the proposed project would not generate a perceptible noise increase (3 dBA L_{dn}) since it would require a doubling of traffic volumes on adjacent streets to generate a noise increase of this type.

Construction Noise Impacts- Construction of the project would increase noise levels in the project area over the entirety of the construction period. Noise generated during construction would differ depending on the construction phase and the type and amount of equipment used at the construction site.

Noise from the construction of the proposed project could potentially pose a significant impact to the surrounding residential properties. To limit the construction noise impacts on nearby properties, various mitigation measures have been incorporated into the proposal.

MITIGATION MEASURES:

All units shall be built in conformance with Title 24, to the satisfaction of the Chief Building Official. The following specific mitigation shall also be incorporated into the project.

Ventilation-*For habitable rooms overlooking San Antonio Street*, adequate ventilation must be available in the event that inhabitants wish to keep the windows shut due to the noise. All such units shall have forced air ventilation systems to allow the windows to remain closed so that an interior noise level of 45 dBA can be achieved. Prior to issuance of occupancy permits, building plans for all units will be checked by a qualified acoustical consultant to ensure that noise levels are attenuated sufficiently in conformance with Title 24.

Windows- *For habitable rooms overlooking San Antonio Street*, windows shall be weather-stripped and sealed airtight into window openings. Minimum STC 30 laboratory rated windows with frames shall be installed to bring the project into conformance with Title 24.

Entry Doors-*Town homes that are entered from San Antonio Street* must be minimum STC-26 assemblies.

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Temporary Construction Impacts- Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

The contractor shall use “new technology” power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.

Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses.

XII. POPULATION AND HOUSING - Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|-----|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1 |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1 |

FINDINGS: The project is proposed on an infill site that currently contains a vacant community services building. In conformance with the Discretionary Alternate Use Policies, the project is proposing a density of 24 DU/AC. The project meets the goals of the General Plan by proposing an infill project in an urbanized area adjacent to transit; the production of affordable housing and the development of residential uses that are in conformance with the City of San Jose Residential Design Guidelines. The project will not induce substantial population growth or require the extension of new roads or infrastructure. Development of the underutilized site will provide housing for up to 24 residential units.

The proposed project would not displace significant numbers of people or housing units that would necessitate the construction of replacement housing elsewhere.

MITIGATION MEASURES: None required.

XIII. PUBLIC SERVICES - Would the project:

| | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|-----|
| a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | | |
| Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| Police Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| Other Public Facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |

FINDINGS: Unlike utility services, public services are provided to the community as a whole, usually from a central location or from a defined system. The resources base for delivery of the services, including the physical service

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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delivery mechanisms, is financed on a community-wide basis, usually from a unified or integrated financial system. Usually, new development will create an incremental increase in the demand for these services; the amount of the demand will vary widely, depending on both the nature of the development and the type of services, as well as on the specific characteristics of the development.

The impact of a particular project on public services and facilities is generally a fiscal impact. By increasing the demand for a type of service, a project could cause an eventual increase in the cost of providing the service (more personnel hours to patrol an area, additional fire equipment needed to service a tall building, etc.).

Due to the development of new residential uses on the site, some increase in the demand for services will result from this project. The project will be subject to various impact fees due to an incremental increase in demand on City services and will therefore be required to pay fees to meet its demand for services. However, the project is located in an urbanized area currently served by municipal services, therefore, it is not anticipated that an infill project of this type and size will significantly change or impact public services or require the construction of new or remodeled public service facilities.

The project will not require the construction of any new service facilities; therefore, the project would not result in a significant public services impact.

MITIGATION MEASURES: None Required

XIV. RECREATION

| | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|-----|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2 |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2 |

FINDINGS: The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance.

The proposed project would have an incremental impact on the demand for parks or park facilities, however this would not result in substantial physical deterioration of any facilities or cause this to be accelerated. The project includes payment of an in-lieu fee for park and recreation purposes to address this incremental impact.

The project does not propose the construction of any new public parks or recreational facilities that could have an adverse impact on the environment. There are no existing recreational or park facilities on the project site and the site is designated in the General Plan for multi-family residential use. Therefore, the project will not have an adverse effect on the environment due to new or expanded residential facilities.

MITIGATION MEASURES: None Required

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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XV. TRANSPORTATION / TRAFFIC - Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2,19 |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,2,19 |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,19 |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,19 |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,20 |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,18 |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,18 |

FINDINGS: An in-house traffic distribution analysis was completed for this project. The analysis determined that the 24 unit residential project will not result in a substantial increase in traffic trips in relation to the existing load capacity to the traffic system. In addition, the project site is located on East San Antonio Road near existing and proposed transit lines. Bus stops for VTA lines 77, 22 & 12 are within 1,000 feet of the project site and provide service to downtown San Jose, Caltrain and Eastridge Mall. The project proposes a pedestrian pathway to East San Antonio Road facilitating access to transit. Primary vehicular access to the site is provided via driveway located along East San Antonio Road.

The project does not include any hazardous design features (sharp bends or turns in roadways) and will not result in an increase in safety hazards. The project also provides a fire truck turn around to provide emergency access in conformance with City of San Jose standards.

Parking for the project will be provided in conformance with the specifications of the Residential Design Guidelines.

The proposed project would not result in any change in air traffic patterns because the proposed 38-foot high buildings are not tall enough to affect air traffic patterns.

MITIGATION MEASURES: None Required

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

| | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,15 |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1,2,21 |
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,17 |

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,22 |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,21 |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,21 |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,21 |

FINDINGS: The small-scale increase in energy resource consumption that would occur from the development of the new residential uses on the project site would not result in excessive use of energy or non-renewable resources. The proposed project would result in a slight increase in utility usage and water consumption as well as generation of solid waste, storm water and wastewater however, the project site is located within the City's Urban Service Area and has long been designated for urban development in the City's General Plan. The San Jose General Plan EIR recognizes and addresses utility impacts resulting from buildout consistent with the San Jose 2020 Land Use/Transportation Diagram and other Land Use policies pertaining to multi-family residential development.. In addition, the City of San Jose Public Works department has determined that there is adequate infrastructure capacity serving the site to adequately handle the increases.

The proposed project would not exceed wastewater treatment requirements, require construction of new water or wastewater facilities or result in construction of new stormwater facilities. The project would be served by existing solid waste facilities and be in compliance with all applicable federal, state and local regulations related to solid waste.

The project will be required to pay a impact fees and other fees to mitigate for the incremental increase in wastewater generation and will indicate on the General Development Plan the proposed project shall conform to Chapter 15.2 of the San Jose Municipal Code, Water Pollution Control Plan.

MITIGATION MEASURES: None Required

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

| | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|------|
| a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 1,10 |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1,16 |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 1 |

| <i>Issues</i> | <i>Potentially Significant Impact</i> | <i>Less Than Significant With Mitigation Incorporated</i> | <i>Less Than Significant Impact</i> | <i>No Impact</i> | <i>Information Sources</i> |
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FINDINGS: The project site is a vacant community services building and associated parking and landscaping. No rare or endangered bird, reptile, insect and mammal species are present on the site. Trees to be removed from the site will be mitigated by the provision of replacement landscaping. In addition, mitigation measures regarding air quality construction impacts, geology and soils, hazardous materials, hydrology and water quality and noise are included in the project to ensure that potentially significant impacts associated with these topics would be reduced to a less-than-significant level or avoided.

The project is consistent with General Plan Land Use Element goals and policies, which encourage development of multi-family residential uses on the project site. The project is consistent with the San Jose 2020 General Plan, which includes goals and policies related to achievement of long-term environmental goals.

The project site is located within the City's Urban Service Area and has long been designated for urban development in the City's General Plan. The cumulative impacts of development on this site have been analyzed in the San Jose General Plan EIR since this document recognizes and addresses impacts resulting from buildout consistent with the San Jose 2020 Land Use/Transportation Diagram and Land Use policies pertaining to multi-family residential development..

The proposed project is consistent with existing land use goals and policies and the Residential Design Guidelines and will therefore not result in cumulative impacts beyond those anticipated by implementation of the General Plan. The proposed project will not have environmental effects which cause substantial adverse effects for reasons identified throughout this Initial Study.

MITIGATION MEASURES: None Required

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. PDC04-052
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. California Division of Mines and Geology
23. Cooper Clark, San Jose Geotechnical Information Maps, July 1974
24. Geotechnical Engineering Study San Antonio Court Townhomes, Earth Systems Consultants, September 2004
25. Phase I -1716 San Antonio Street-AEI Consultants, February 5, 2004
26. Noise Report San Antonio Place- Nigel Breitz Acoustics, September 30, 2004